

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|--------------------------------|---|-----------------------|
| PULMONETIC SYSTEMS INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 06-564 (JJF) |
| |) | |
| VERSAMED MEDICAL SYSTEMS INC., |) | |
| |) | |
| Defendant. |) | |

STIPULATION AND ORDER

WHEREAS this Court issued a Memorandum Order dated April 28, 2008, which in pertinent part, directed the parties to notify the Court by June 10, 2008 in the event the parties do not agree on an arbitrator (D.I. 24 at 3), which date the Court extended by Stipulation and Order to July 10, 2008 (D.I. 27);

WHEREAS the parties continue to be engaged in settlement discussions;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that the deadline for the parties to notify the Court if they are unable to agree on an arbitrator is hereby extended through and including September 8, 2008.

ASHBY & GEDDES, P.A.

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SO ORDERED this ____ day of _____, 2008.

Farnan, J.